
Introduced by Senator Wiggins

February 27, 2009

An act to amend Section 7860 of the Fish and Game Code, relating to commercial fishing.

LEGISLATIVE COUNSEL'S DIGEST

SB 778, as introduced, Wiggins. Commercial fishing: salmon stamp.

Existing law, until January 1, 2012, prohibits specified persons from taking salmon for commercial purposes unless the person has a commercial fishing salmon stamp affixed to his or her commercial fishing license. Existing law requires the Department of Fish and Game to issue a commercial fishing salmon stamp, upon application for the stamp and payment of a base fee of \$85. That base fee is required to be adjusted during specified commercial salmon seasons. However, existing law prohibits the total fees, as adjusted, from exceeding \$260.

This bill would delete an obsolete reference and make other technical, nonsubstantive changes in those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 7860 of the Fish and Game Code is
- 2 amended to read:
- 3 7860. (a) Except as provided in subdivision (f) or (g), ~~no~~ a
- 4 person who is 18 years of age or more and less than 70 years of
- 5 age, on or before April 1 of the current license year, shall *not* take
- 6 salmon for commercial purposes or be on board a vessel on which
- 7 salmon are taken for commercial purposes while salmon are being

1 taken or transported, unless that person has a commercial fishing
2 salmon stamp issued pursuant to this section affixed to his or her
3 commercial fishing license.

4 (b) Except as provided in subdivision (f) or (g), the operator of
5 a vessel on which salmon are taken for commercial purposes shall
6 not permit a person on board that vessel while salmon are being
7 taken or transported, unless that person was less than 18 years of
8 age or 70 years of age or more on April 1 of the current license
9 year or that person has a commercial fishing salmon stamp affixed
10 to the person's commercial fishing license.

11 (c) Except as provided in ~~subdivision (b) of Section 7852.3 and~~
12 this subdivision, the department shall issue a commercial fishing
13 salmon stamp upon application therefor and payment of the fee of
14 eighty-five dollars (\$85). For any commercial salmon season
15 preceded by a commercial salmon season in which the commercial
16 troll salmon landings in this state equal or exceed 3,000,000 pounds
17 dressed weight, as determined by the department, the fee shall be
18 increased by twelve dollars and fifty cents (\$12.50) for every
19 250,000 pounds over 3,000,000 pounds of dressed weight landings,
20 except that the total fees as adjusted shall not exceed two hundred
21 sixty dollars (\$260).

22 (d) A commercial fishing salmon stamp is valid during the
23 commercial salmon season of the year in which it ~~was~~ is issued.

24 (e) Notwithstanding Section 1053, upon application and payment
25 of an additional fee equal to that prescribed in subdivision (c), the
26 department may issue an additional commercial fishing salmon
27 stamp for a crewmember to the owner or operator of a vessel who
28 holds a commercial fishing salmon stamp.

29 (f) Notwithstanding subdivision (a), one crewmember of a vessel
30 for which a commercial fishing salmon stamp is issued pursuant
31 to subdivision (e) may be aboard that vessel and take salmon for
32 commercial purposes as a crewmember on that vessel without
33 obtaining a commercial fishing salmon stamp under the following
34 conditions:

35 (1) The crewmember is designated by name and commercial
36 fishing license number on a form furnished by the department
37 before salmon are taken on the vessel when that crewmember is
38 aboard.

39 (2) The crewmember has a valid commercial fishing license
40 issued under Section 7850.

1 (3) The commercial fishing salmon stamp for the crewmember
2 is affixed to the form prescribed in paragraph (1) on which the
3 vessel registration number of the vessel is entered and on which
4 the crewmember who is exempted by this subdivision is designated
5 by the last entered name and commercial fishing license number.
6 (g) Persons who are exempt from the license requirements, or
7 who are not required to be licensed, pursuant to Section 7850, are
8 exempt from the requirements of this section.

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